

INSTRUCTIONS
for obtaining a

**Permit by Notification
for
Scrap Metal Collection and Recycling Centers**

pursuant to

RSA 149-M and New Hampshire Solid Waste Administrative Rules Env-Wm 311 & Env-Wm 2107.04

Read these instructions before completing the attached form. For additional assistance contact the New Hampshire Department of Environmental Services (DES) Permitting & Design Review Section (P&DRS) at (603) 271-2925 or the below noted mailing address or TDD Access: Relay NH 1-800-735-2964.

Note: All references on this form beginning with "Env-Wm" are citations from the New Hampshire Solid Waste Rules (Rules). To obtain a copy of the Rules, contact the DES Public Information Center at either (603) 271-2975 or the above noted TDD Access. The Rules are also available on the Internet at www.des.state.nh.us.

Complete the attached form to obtain a "permit-by-notification" to construct and operate a scrap metal collection and recycling center, subject to the siting, operation and closure requirements specified in Env-Wm 2107.04.

Before completing this form, verify that your facility is NOT permit-exempt pursuant to Env-Wm 302.03 or Env-Wm 2108. Contact the P&DRS at (603) 271-2925 for assistance, if required.

All requested information must be provided as indicated on the attached form. Do **NOT** skip any question, unless instructed to do so. Do **NOT** mark any question "not applicable." If you need more space than available on the form to answer a particular question and are using a paper copy of this form, attach additional pages as necessary; mark each page clearly to show both the applicant name and the question being answered; and indicate on the form that the additional pages are attached. However, do **NOT** alter the form in any other way.

Submit **FOUR** copies of the completed form, **EACH bearing ORIGINAL signatures**, to the following address:

**NH Department of Environmental Services (DES)
Waste Management Division (WMD)
Permitting & Design Review Section (P&DRS)
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095**

Include postage paid legal sized envelopes addressed, in type written or handwritten block letters, to yourself (i.e., the property owner/applicant), the host municipality, and the host solid waste management district. If you require assistance in determining the latter, contact the host town/city offices or the DES Planning and Community Assistance Section at (603) 271-2900.

A permit-by-notification can only be issued based on complete and accurate information. **Therefore, failure to follow these instructions as specified shall result in DENIAL of the requested permit.**

Following receipt of an application for a permit-by-notification, DES will determine whether all information is provided as specified. Response will be made by returning a copy of the completed form, marked either "granted" or "denied." If marked "granted," a permit number will be assigned and the completed form, bearing the Director's signature and DES dated receipt stamp, will serve as the facility permit. If marked "denied," the deficiencies will be noted on the form. A copy of the processed form will also be sent to the host municipality and host solid waste management district, for their information and use.



For Office Use Only:

WMD Log # _____
 Date Rec'd.: _____
 No. of Copies: _____

Permit by Notification For Scrap Metal Collection and Recycling Centers

*pursuant to
 RSA 149-M and New Hampshire Solid Waste Administrative Rules Env-Wm 311 & Env-Wm 2107.04*

FOR DES OFFICE USE ONLY Do NOT WRITE IN THIS SHADED BOX

☐ **The requested permit is hereby granted and assigned permit number DES-SW-PN-_____ - ____.**

This completed form, bearing a DES dated receipt stamp and signature, shall serve as the permit for this facility. The approval applies only to constructing and operating the facility as described herein on this completed form, subject to all applicable statutes and rules, including RSA 149-M and the New Hampshire Solid Waste Rules, as amended. This permit shall expire one year from the date of signature, below, if facility construction has not commenced. This permit is non-transferable. Issuance of this permit is based solely on representations by the applicant/permittee. No liability is incurred by the state of New Hampshire by reason of this approval. This approval shall not affect the permittee's obligation to obtain all requisite federal, state, district or local approvals and to comply with all other applicable statutes and rules.

 Anthony P. Giunta, P.G., Director, WMD

 Date

☐ **The requested permit is hereby denied due to:**

- ☐ incomplete, conflicting or ambiguous information, as indicated by highlighting
- ☐ insufficient copies
- ☐ no signature or failure to provide original signatures on all copies filed
- ☐ other (specify): _____

Denial shall not preclude the applicant from later obtaining a permit by submitting a new application, which corrects the above noted deficiency(s). Questions may be directed to the person whose business card is stapled to this form. Rights of appeal exist pursuant to RSA 21-O:9, V.

 Anthony P. Giunta, P.G., Director, WMD

 Date

SECTION I. FACILITY IDENTIFICATION

The information provided below shall constitute the approved facility location, if a permit is issued based on this application.

(1)	Facility name:
(2)	Facility location, by street address and municipality:
(3)	Facility mailing address:
(4)	Facility status (<i>Check which ONE of the following applies</i>):
<input type="checkbox"/>	Proposed Facility (<i>i.e., a facility not yet constructed or operating</i>)
<input type="checkbox"/>	Unauthorized Facility (<i>i.e., an existing facility without a permit</i>) that DES has instructed to apply for this permit. (<i>Attach a copy of the DES document that specifically instructs you to file this application</i>).
	<i>Note: An unauthorized facility must comply with all requirements applicable to a PROPOSED facility. Complete the remainder of this form on that basis.</i>
<input type="checkbox"/>	Existing Facility holding Temporary Permit #DES-SW-TP-_____ - _____ (<i>fill in permit #</i>)
<input type="checkbox"/>	None of the above. (<i>If "one of the above" DO NOT CONTINUE. A permit-by-notification can only be issued to a facility, which is one of the above. Contact the DES Solid Waste Compliance Bureau at (603) 271-2925 for further assistance.</i>)

(5)	Local tax map and lot numbers:
(6)	Deed reference by county, volume and page numbers:
(7)	Latitude and longitude of a known fixed point on the site:
(8)	Written directions from a known point of reference in the vicinity of the facility site:
(9)	Plot the facility site on a United States Geological Survey (USGS) topographic map, or copy thereof, prepared at a scale of 1:24,000 or 1:25,000. Mark and submit as "Attachment I(9)."

SECTION II. FACILITY OWNER/OPERATOR IDENTIFICATION

If a permit is issued, the information provided below shall constitute the identity of the permittee. The permittee and the facility owner shall be one in the same. Further, the permittee/facility owner shall be in responsible charge of facility operations, closure, and post closure monitoring and maintenance.

(1)	Applicant/owner/operator name:		
(2)	Applicant/owner/operator mailing address:		
(3)	Applicant/owner/operator telephone number:		
(4)	If different than above, identify the individual associated with and designated by the applicant/owner/operator to be the contact individual for matters concerning this facility:		
	(a)	Name:	(b) Title:
	(c)	Mailing address:	
	(d)	Telephone number:	
(5)	If the facility applicant/owner/operator is an individual, provide date of birth and go to Section III:		
(6)	If the facility applicant/owner/operator is a corporation, partnership or other association, provide all of the following information as specified:		
	(a)	The facility is owned by a: <input type="checkbox"/> corporation <input type="checkbox"/> partnership <input type="checkbox"/> other association	
	(b)	State of incorporation/formation	
	(c)	Principal business address:	
	(d)	Provide, on separate paper and attach/mark as "Attachment II(6)(d)," the names and addresses of all directors, officers and shareholders (*), if for a corporation; all partners (<i>whether general or limited</i>), if for a partnership; or all principals, members or participants, if for another type of association.	
	(*) For a privately held corporation, identify <u>all</u> shareholders. For a publicly traded corporation, identify all shareholders owning 10% or more of the corporation's equity or debt.		

SECTION III. FACILITY LIFE

Identify, by answering questions (1)-(3) below, the anticipated life expectancy of the facility. A permit-by-notification is issued for one of two operating scenarios: either for operating 90 days or less or operating longer than 90 days. If operated longer than 90 days, the facility must meet certain long-term operating obligations, as specified in Env-Wm 2800, including operator certification requirements pursuant to Env-Wm 3300 and annual reporting requirements.

For a facility having an active life of 90 days or less, the dates provided below shall constitute the approved active life of the facility, if a permit is issued (i.e., the facility shall not be authorized to operate outside these dates).

For a facility having an active life longer than 90 days, the future dates specified below shall be target dates only. The actual dates for commencing construction, operation and closure shall be provided by the permittee (following permit issuance) by filing a "Notice of Intent to Construct" pursuant to Env-Wm 2804, a "Notice of Intent to Operate" pursuant to Env-Wm 2805, and a "Notice of Intent to Close" pursuant to Env-Wm 2806. "Notice of Intent" forms may be obtained from the P&DRS at (603) 271-2925.

(1)	For a proposed facility, date facility construction is scheduled to commence:		
	OR		
	For an existing temporary permit or unauthorized facility, date facility construction first commenced:		
(2)	For a proposed facility, date facility operations are scheduled to commence:		
	OR		
	For an existing temporary permit or unauthorized facility, date facility operations first commenced:		
(3)	Total life expectancy of facility (<u>check one only</u>):		
	<input type="checkbox"/>	90 days or less (<i>specify date by which the facility shall cease receiving waste</i>):	
	<input type="checkbox"/>	Longer than 90 days (<i>answer (a) or (b) below as applicable</i>):	
	(a)	If date of facility closure is <u>known</u> , so indicate:	OR
	(b)	If date of facility closure is <u>unknown</u> , specify total years the facility will most likely operate:	years.

SECTION IV. FACILITY OPERATIONS

Complete this section to generally describe facility operations.

(1)	Type of processed scrap metal material your facility will receive (<i>check all that apply</i>):
<input type="checkbox"/>	Ferrous Metal
<input type="checkbox"/>	Non-Ferrous Metal
<input type="checkbox"/>	Copper
<input type="checkbox"/>	Aluminum
<input type="checkbox"/>	Brass
<input type="checkbox"/>	Other (<i>specify</i>):
(2)	Identify key types of waste items the facility intends to receive:
<input type="checkbox"/>	Washers, dryers, refrigerators, and other appliances/white goods
<input type="checkbox"/>	Pipes and fittings
<input type="checkbox"/>	Empty storage tanks, drums and other containers that have been cleaned of residues in accordance with state and federal rules and regulations.
<input type="checkbox"/>	Aluminum beverage cans/containers
<input type="checkbox"/>	Aluminum window frames, chair frames and other aluminum
<input type="checkbox"/>	Cable/wire (indicate whether stripped: <input type="checkbox"/> stripped <input type="checkbox"/> unstripped)
<input type="checkbox"/>	Metal shavings, not mixed or coated with cutting oils
<input type="checkbox"/>	Cast iron radiators, boilers and other cast iron components
<input type="checkbox"/>	Motor vehicle parts that have not and do not contain fluids or lubricants. For example, body panels, frames, and tire rims.
<input type="checkbox"/>	Other (<i>specify</i>):
(3)	Prohibited wastes (this facility shall not be permitted to receive any of the following types of solid waste):
<input type="checkbox"/>	Asbestos
<input type="checkbox"/>	Infectious waste
<input type="checkbox"/>	Explosives
<input type="checkbox"/>	Tires
<input type="checkbox"/>	Contained gaseous waste
<input type="checkbox"/>	Contaminated soils
<input type="checkbox"/>	Out-of state waste, except for recycling
<input type="checkbox"/>	Parts of motor vehicles that contain or have contained fluids or lubricants, not including lead acid batteries managed in accordance with Env-Wm 809.
<input type="checkbox"/>	Free draining oil or lubricants, including cutting oils mixed with or coating metal shavings.
<input type="checkbox"/>	Municipal solid waste or scrap metal mixed with other municipal solid waste
<input type="checkbox"/>	Scrap metal mixed with other demolition or construction debris
<input type="checkbox"/>	Other (<i>specify</i>):
(4)	Identify all allowable processing activities that will be undertaken at this facility:
<input type="checkbox"/>	Sorting (<i>describe</i>):
<input type="checkbox"/>	Cutting (<i>describe</i>):
<input type="checkbox"/>	Crushing (<i>describe</i>):
<input type="checkbox"/>	Bailing (<i>describe</i>):
<input type="checkbox"/>	Smelting (*) (<i>describe</i>):
	(*) Allowed only when done in units not requiring a permit under Env-A 600.
(5)	Is the facility equipped and staffed properly to allow identification and segregation of scrap metal that contains chlorofluoro carbons (CFC's), polychlorinated biphenyls (PCB's), mercury containing switches and other devices, batteries, and other regulated substances, materials and wastes?
<input type="checkbox"/>	Yes
<input type="checkbox"/>	No (Stop - read caution note below)
	Note: This facility must operate in a manner that manages PCB's, CFC's, mercury-containing switches and other devices, batteries, and all other regulated substances, materials and wastes in accordance with applicable state and federal rules and regulations, either at the facility or by transfer to another facility that provides such proper management. Proceed no further until you are able to answer "Yes" to the above.

SECTION V. FACILITY CAPACITY

The information provided by answering questions (1)-(2) below shall constitute the approved facility capacity if a permit is issued.

(1)	Average quantity of scrap metal the facility is designed to receive daily: tons per day (*)
	(*) This number shall not to exceed 30 tons per day (TPD), averaged over active life of facility and on average annually
(2)	Maximum quantity of unprocessed scrap metal the facility is designed to store: tons
(3)	Maximum quantity of residual waste the facility shall be authorized to store: cubic yards (*)
	(*) If this number exceeds 30 cubic yards, provide an approved financial assurance plan pursuant to Env-Wm 3100 to guarantee the cost of disposing of the residual waste. Contact the DES financial assurance program coordinator at (603) 271-2925 for assistance. Attach a copy of the plan to this application and mark as "Attachment V (3)".

SECTION VI. NOTICE OF OTHER WASTE MANAGEMENT ACTIVITIES AT SITE

Pursuant to Env-Wm 2805.07(d) and (f), identify all other waste management activities taking place at this location that are not covered by this permit and provide the related authorization for doing so.

Show the location of each of these activities on the site plans prepared pursuant to Section VIII of this form and be certain the activities do not adversely affect the ability to properly manage each of the authorized wastes specified in Section IV of this form.

TYPE OF WASTE MANAGEMENT ACTIVITY (e.g. brush burning; leaf/brush composting; HHW collection, etc.)	AUTHORIZATION: PERMIT # OR OTHER REGULATORY CITE

SECTION VII. FACILITY SITING

The following siting instructions shall apply to this facility. (If the proposed facility does not meet these criteria, a permit-by-notification cannot be issued. However, the facility may be eligible for a "standard permit" pursuant to Env-Wm 314. Contact the P&DRS at (603) 271-2925 to obtain the appropriate forms.

SITE FEATURE (See also footnotes, shown in parentheses, as applicable)	MINIMUM ALLOWABLE SETBACK DISTANCE		ACTUAL SETBACK DISTANCE (Fill in this column to show compliance with the minimum allowable setback distances)
	PROPOSED FACILITIES & UNAUTHORIZED FACILITIES	TEMPORARY PERMIT FACILITIES	
Property lines	50 feet	Maintain existing setback, however, any future expansion of the facility shall be setback at least 50 feet.	
Area for which an easement or right-of-way is granted	Not within, unless specifically allowed by the easement or right-of-way and the grant of the easement or right-of-way does not adversely affect the ability to meet all facility requirements.		
100-year flood hazard zone ⁽¹⁾	Not within	If within, protect all waste handling & storage areas from impact by flood/ however, future expansion of the facility shall not occur within the 100-year flood zone.	
Wetlands and surface waters	Any dredging, filling or construction in or adjacent to wetlands or surface waters may require a permit from the DES Wetlands Bureau. If your facility is within 100 ft. of a surface water or wetland, you are advised to contact the Wetlands Bureau at (603) 271-2147 to obtain permitting information.		
Rivers designated under RSA 483 ⁽²⁾	250 feet, measured from normal high water mark, provided that vegetation or other natural barrier is established to minimize visual impact.	Maintain existing setback, however, future expansion of the facility shall not occur within 250 feet of the normal high water mark and screening shall be provided to minimize visual impact.	
Shoreland protected under RSA 483-B ⁽³⁾	250 feet, measured from the "reference line"; minimize visual impact using vegetation or other natural barrier.	Maintain existing setback, however, future expansion of the facility shall not occur within 250 feet of the "reference line" and screening shall be provided to minimize visual impact.	
Areas protected under RSA 482, as pertains to dams and flowage ⁽⁴⁾	Not within	If within, assure that the facility is in compliance with RSA 482.	
Public water supply wells ⁽⁵⁾	Not within the sanitary protective radius.		
Habitat for threatened or endangered species ⁽⁶⁾	Not within	If within, no further impact or encroachment.	
Other waste management facilities ⁽⁷⁾	Not within area which physically interferes with the proper operation and closure of the other facility.		

Is this facility sited on property, which is subject to an on-going DES enforcement action? ☐ YES ☐ NO

[Note: A proposed facility can not be sited on property that is subject to a DES enforcement action, unless the facility is approved by DES as part of the enforcement action and a copy of the approval is submitted with this application. If "YES", attach the approval and mark as "Attachment VII".]

FOOTNOTES:

- (1) To determine limits of the 100-year flood zone, refer to Federal Emergency Management Agency (FEMA) maps. Contact the Office of Emergency Management at (603) 271-2231 for assistance in locating maps.
- (2) List of designated rivers may be obtained from the Internet at www.state.nh.us/rivers/designriv.htm or by request from the DES-PIC office at (603) 271-2975.
- (3) Contact the DES Shoreland Protection Coordinator at (603) 271-3503 for assistance in identifying protected areas, which include all public fresh water bodies listed in a DES publication titled "Official List of Public Waters in NH". The "reference line" is typically the high water mark, but may vary for some water bodies.
- (4) A facility cannot be sited within the flood control area of a dam (land subject to flowage rights). If the facility is an existing facility and is located within the flood control area of a dam, you must contact the DES Water Division at (603) 271-3406 to assure compliance.
- (5) If within 400 ft. of public water supply well, you are advised to contact the DES Water Supply Engineering Bureau at (603) 271-3503.
- (6) For plant species, contact NH Natural Heritage Inventory at (603) 271-3623. For wildlife species, contact the Fish & Game Dept. at (603) 271-3017.
- (7) Proposed facilities should be located at least 50 feet from the footprint of any existing landfill, which is not yet capped, in order to assure adequate area for future capping and groundwater monitoring wells. In no case may a facility, whether existing or proposed, be located on top of, or within, any landfill.

SECTION VIII. FACILITY DESIGN PLANS & SPECIFICATIONS

Prepare facility design plans and specifications, according to the enumerated instructions below. Attach the plans and specifications to this application and mark as "ATTACHMENT VIII."

- (1) The facility location and design must meet all permitting requirements as provided in:
 - ☐ Env-Wm 2107.04
 - ☐ Env-Wm 2700;
 - ☐ Env-Wm 2900;
 - ☐ Env-Wm 2103-Env-Wm 2106, if operated longer than 90 days; and
 - ☐ Env-Wm 2800, if operated longer than 90 days.
- (2) Include the following on each page of the plans and specifications:
 - ☐ Date of preparation;
 - ☐ Facility name and location; and
 - ☐ For a facility holding a temporary permit, the facility permit number.
- (3) Be certain the plans and specifications are:
 - ☐ Clearly readable;
 - ☐ Prepared in accordance with standard engineering practices, including dimensions, labels, details and other graphic elements; and
 - ☐ Stamped by a qualified professional engineer, if the facility will operate longer than 90 days or when required by RSA 310-A.
- (4) Unless other arrangements are approved in advance pursuant to Env-Wm 2803.05(f), the plans shall:
 - ☐ Be prepared at a scale of no less than 1 inch = 50 feet;
 - ☐ Be presented on paper no larger than 24 inches by 36 inches;
 - ☐ Show profiles drawn to standard scales with a ratio of 10 horizontal to 1 vertical, such as 40:4 and 50:5;
 - ☐ Show elevations of the surface to the nearest 0.1 foot;
 - ☐ Show elevations of the piping, sewer, and manhole inverts to the nearest 0.01 foot;
 - ☐ Report all elevations in feet and tenths and reference all elevations to a standard datum, which shall be indicated on the plans, based on mean sea level; and
 - ☐ Show contours at a minimum interval of 2 feet on all plan views.
- (5) Show all existing site features, including but not necessarily limited to:
 - ☐ Property boundaries, rights-of-way, easements, surrounding land use and abutters;
 - ☐ Access points;
 - ☐ Above & below ground structures and utilities;
 - ☐ Surface waters and wetlands;
 - ☐ Other areas or features protected or restricted by the applicable siting requirements (see Section VII);
 - ☐ Topography; and
 - ☐ Other property uses, and/or other waste management facilities or activities situated at the site as identified in Section VI of this form, if any.

If the facility and all related operations are wholly contained within an existing building, you may instead submit a plan showing the location of the building.

- (6) Show the facility and all related appurtenances, including:
 - ☐ Each of the features specified in Env-Wm 2104.03 through Env-Wm 2104.05, as applicable;
 - ☐ The specific storage areas/devices for each type of waste the facility will receive, as identified in Section IV of this form; and
 - ☐ The designated footprint(s) of any on-the-ground stockpiles and the required fire lanes between/around each.
- (7) Delineate/dimension all relevant setback distances, as described in Section VII of this form.

SECTION IX. OPERATING PLAN

For a facility having an active life of 90 days or less, skip this section.

For a facility having an active life longer than 90 days, you must prepare an Operating Plan, as specified by the enumerated instructions below. You are not required to submit the plan, but are required to make it available for use by facility operators and for inspection by DES upon request.

- (1) *The facility Operating Plan shall provide sufficient detail to allow the certified operator and other trained facility personnel to operate the facility in compliance with RSA 149-M, the permit and the Rules without further explanation or guidance. See Env-Wm 2107.04, Env-Wm 2105, Env-Wm 2705, Env-Wm 2805, and Env-Wm 2904.*
- (2) *The Operating Plan shall be prepared as a loose-leaf document to facilitate updating and amendment as specified in Env-Wm 315.*
- (3) *Each page of the Operating Plan shall bear the date of preparation or last revision, as applicable, and the facility name, location and permit number, if a permit is issued for the facility at the time that the operating plan or a modification thereto is prepared.*
- (4) *Prepare the Operating Plan according to the content and format requirements set forth in Env-Wm 2805.11.*
- (5) *Key points to consider when developing your Operating Plan are:*
 - (a) *Incoming waste must be collected and stored in accordance with Env-Wm 2105.02;*
 - (b) *Waste must be inspected prior to acceptance to assure that the facility only receives authorized waste, as described in Section IV of this form;*
 - (c) *Scrap metal containing CFC's, PCB's, mercury-containing switches/devices, etc. must be identified, segregated and managed in accordance with all applicable statutes and rules.*
 - (d) *The facility must be operated in a manner which avoids dust, noise, traffic or other safety problems;*
 - (e) *Residual waste must be managed as described as Env-Wm 2107.04(g); and*
 - (f) *Access to the site must be controlled in a manner as to prevent unlawful dumping.*
- (6) *Always keep your Operating Plan up-to-date.*

SECTION X. CLOSURE PLAN

For a facility having an active life of 90 days or less, skip this section.

For facilities having an active life longer than 90 days, you are required to prepare a Closure Plan, as specified by the enumerated instructions below. You are not required to submit the plan, but are required to make it available for use by facility operators and for inspection by DES upon request.

- (1) The facility Closure Plan shall provide sufficient detail to allow a third party to implement and complete all required facility closure tasks in compliance with RSA 149-M, the permit and the Rules without further explanation or guidance. See Env-Wm 2106, Env-Wm 2706, Env-Wm 2806, and Env-Wm 2905.
- (2) The Closure Plan shall be prepared as a loose-leaf document to facilitate updating and amendment as specified in Env-Wm 315.
- (3) Each page of the Closure Plan shall bear the date of preparation or revision, as applicable, and the facility name and permit number.
- (4) Prepare the Closure Plan according to the content and format requirements set forth in Env-Wm 2806.04.
- (5) Key points to consider when developing your Closure Plan are:
 - (a) Closure must be completed within 30 days of the date of last waste receipt or before the expiration date of the permit, whichever is earlier; and
 - (b) To close the facility, you must remove all waste from the site to an authorized facility, including all residual waste, by-pass waste, and you must otherwise clean/restore the site per Env-Wm 2706.02.
- (6) Always keep your Closure Plan up-to-date.

SECTION XI. CERTIFICATION OF COMPLIANCE

A permit-by-notification shall not be issued to applicants unable to certify compliance with the following statements. If unable to certify that each of the following statements is true, you may instead apply for a "standard permit" pursuant to Env-Wm 314. Contact the P&DRS at (603) 271-2925 for additional information.

COMPLIANCE STATEMENT

The applicant shall certify that each of the statements listed in (1)-(8) below are true for each of the following individuals and entities:

- ☐ the applicant;
- ☐ the facility owner;
- ☐ the facility operator;
- ☐ all individuals and entities holding 10% or more of the applicant's debt or equity;
- ☐ all of the applicant's officers, directors, and partners; and
- ☐ all individuals and entities having managerial, supervisory or substantial decision making authority and responsibility for the management of facility operations or the activity(s) for which approval is being sought.

(1)	No individual or entity listed above has been convicted of or plead guilty or no contest to a felony in any state or federal court during the 5 years before the date of the application;				
(2)	No individual or entity listed above has been convicted of or plead guilty or no contest to a misdemeanor for a violation of environmental statutes or rules in any state or federal court during the 5 years before the date of the application;				
(3)	No individual or entity listed above has owned or operated any hazardous or solid waste facility which has been the subject of an administrative or judicial enforcement action for a violation of environmental statutes or rules during the 5 years before the date of the application;				
(4)	No individual or entity listed above has been the subject of any administrative or judicial enforcement action for a violation of environmental statutes and rules during the 5 years before the date of the application;				
(5)	All hazardous and solid waste facilities owned or operated in New Hampshire by any individual or entity listed above are in compliance with either: <table><tr><td>(a)</td><td>All applicable environmental statutes, rules, and DES permit requirements; or</td></tr><tr><td>(b)</td><td>A DES approved schedule for achieving compliance therewith;</td></tr></table>	(a)	All applicable environmental statutes, rules, and DES permit requirements; or	(b)	A DES approved schedule for achieving compliance therewith;
(a)	All applicable environmental statutes, rules, and DES permit requirements; or				
(b)	A DES approved schedule for achieving compliance therewith;				
(6)	All individuals and entities listed above are in compliance with all civil and criminal penalty provisions of any outstanding consent agreement, settlement, or court order to which DES is a party;				
(7)	All individuals and entities listed above have paid, or are in compliance with the payment schedule for any administrative fine assessed by DES; and				
(8)	All individuals and entities listed above are in compliance with all terms and conditions under every administrative order, court order or settlement agreement relating to programs implemented by DES.				

Signature of the applicant certifying the above statements are true:

Applicant Name (Print Clearly or Type)

Applicant Signature

Date

SECTION XII. SIGNATURE REQUIREMENTS

All signatures on all copies filed with DES must be ORIGINAL signatures. Read each of the below statements carefully. These statements shall constitute terms and conditions of any permit issued. Note that the term "facility" as used below refers to operations covered by this permit. It does not refer to operations involving activities identified in Section VI of this form.

Applicant Signature:

The applicant(s) must sign the following statement prior to submitting this application. All copies of the application filed with DES must bear the applicants ORIGINAL signature(s). If the applicant is not an individual, an individual duly authorized by the applicant shall sign the application.

- | | |
|------|---|
| (1) | The applicant/permittee owns the subject facility; |
| (2) | The applicant/permittee shall be in responsible charge of facility construction, operations and closure; |
| (3) | The applicant/permittee has read, understands and shall comply with all requirements for the siting, design, construction, operation and closure of this facility, as provided in Env-Wm 2107.04, Env-Wm 2700, Env-Wm 2900 and, for a facility operating longer than 90 days, Env-Wm 2103 through Env-Wm 2106 and Env-Wm 2800. |
| (4) | The applicant/permittee shall regularly inspect waste received by this facility and assure that the facility shall NOT accept any of the following under the terms of this permit: |
| (a) | Waste identified in Section IV (3); |
| (b) | More than 30 tons of waste per day, averaged over the active life of the facility and on average annually; |
| (5) | The applicant/permittee shall comply with all applicable statutes and rules for managing wastes received and generated by the facility. |
| (6) | For a facility which is sited where other waste management activities are located, as identified in Section VI of this form, the applicant/permittee hereby certifies that the other activities shall not adversely affect the ability of this facility to operate in accordance with the requirements of this permit; |
| (7) | For a facility having an active life longer than 90 days, at least 50% of the on-site personnel who are directly involved with the management of solid waste shall be operators who have been issued certification in accordance with Env-Wm 3300 and, for every 1 to 5 operators, there shall be at least one supervisor who is certified as a Level III or Level IV operator in accordance with Env-Wm 3300; |
| (8) | For a facility having an active life longer than 90 days, the applicant/permittee has prepared a facility Operating Plan which meets the requirements of Env-Wm 2805.11 and which, pursuant to Env-Wm 2902.02, shall be available for use by the facility operators and for inspection by DES; |
| (9) | For a facility having an active life longer than 90 days, the applicant/permittee has prepared a facility Closure Plan which meets the requirements of Env-Wm 2806.04 and which, pursuant to Env-Wm 2902.02, shall be available for use by the facility operators and for inspection by DES; |
| (10) | The applicant/permittee shall be financially responsible for closing the facility pursuant to the <u>Rules</u> ; and shall not accumulate more than 30 cubic yards of residual waste at the facility unless under the terms of a financial assurance plan approved by DES pursuant to Env-Wm 3100. |
| (11) | Facility closure shall be completed within 30 days of the date of last waste receipt or the expiration date of the permit, whichever is earlier; |
| (12) | The applicant/permittee understands that any permit-by-notification issued to an existing facility shall not be construed in any way as an authorization of any activity which occurred prior to the effective date of the permit; or an authorization of any activity that does not comply with RSA 149-M, the <u>Rules</u> and the permit; or a waiver of any cause of action for violation(s) of RSA 149-M or the <u>Rules</u> ; |
| (13) | The applicant/permittee understands that DES may inspect this facility, including during construction, and that non-compliance with the terms and conditions of the permit may result in revocation or suspension of the permit, administrative fine, civil or criminal penalties, and/or administrative orders for corrective action; |
| (14) | The applicant/permittee understands that any approval granted by DES based on false and/or incomplete information shall be subject to revocation or suspension, and that administrative, civil or criminal penalties may also apply; |
| (15) | To the best of my knowledge and belief, the information and material submitted herewith is correct and complete; |

(16)	<i>I certify that this application is submitted on a complete and accurate form, as provided by the DES, without alteration of the text.</i>								
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Name of Permit Applicant/Facility Owner (Print Clearly or Type)									
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Signature of Permit Applicant/Facility Owner									
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Date									
<u>Property Owner Signature</u> If the applicant does not currently own the property where the subject facility will be sited, the property owner(s) must also sign this form as follows. All copies of the application filed with DES must bear the property owner's <u>ORIGINAL</u> signature(s). If the property owner(s) is not an individual, an individual duly authorized by the property owner shall sign the application.									
(1)	<i>I hereby affirm that the applicant has or shall be granted the legal right to occupy and use the property on which the subject facility is or will be located for the purpose specified in this application.</i>								
(2)	<i>I hereby agree to grant access to the property for closure and post-closure monitoring of the facility and site, as required by the New Hampshire Solid Waste Rules.</i>								
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> <div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Property Owner Name (Print Clearly or Type) </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> <div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Joint Owner Name (Print Clearly or Type) </td> </tr> <tr> <td style="vertical-align: top; padding: 5px;"> <div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Property Owner Signature </td> <td style="vertical-align: top; padding: 5px;"> <div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Joint Owner Signature </td> </tr> <tr> <td style="vertical-align: top; padding: 5px;"> Property Owner Mailing Address: <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> </td> <td style="vertical-align: top; padding: 5px;"> Joint Owner Mailing Address: <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> </td> </tr> <tr> <td style="vertical-align: top; padding: 5px;"> <div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Date </td> <td style="vertical-align: top; padding: 5px;"> <div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Date </td> </tr> </table>		<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Property Owner Name (Print Clearly or Type)	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Joint Owner Name (Print Clearly or Type)	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Property Owner Signature	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Joint Owner Signature	Property Owner Mailing Address: <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div>	Joint Owner Mailing Address: <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div>	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Date	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Date
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